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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA
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11 CHARLES KINNEY,
12 Plaintiff,

13 v.

14 STATE BAR OF CALIFORNIA, et al.,
15 Defendants.
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No. C-13-1396 MMC

**ORDER DIRECTING PLAINTIFF TO
SHOW CAUSE WHY CLAIMS AGAINST
REMAINING DEFENDANTS SHOULD
NOT BE DISMISSED**

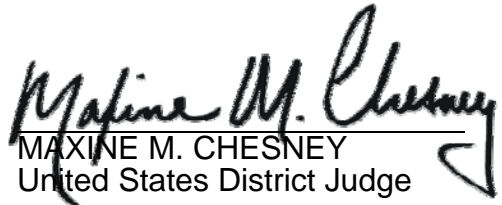
17 On March 28, 2012, plaintiff filed the instant complaint, naming therein four
18 defendants, specifically, the State Bar, the City of Los Angeles, California Superior Court
19 Judge Luis A. Lavin, and California Court of Appeal Justice Roger W. Boren. By order filed
20 May 9, 2013, the Court dismissed plaintiff's claims against the State Bar. By order filed
21 July 3, 2013, the Court advised plaintiff that his claims against the other three defendants
22 remained pending and that the deadline to serve those three defendants was July 26,
23 2013. To date, plaintiff has failed to file proof of service of the summons and complaint
24 upon any of the three remaining defendants.

25 "If a defendant is not served within 120 days after the complaint is filed, the court –
26 on motion or on its own after notice to the plaintiff – must dismiss the action without
27 prejudice against that defendant or order that service be made within a specified time."
28 Fed. R. Civ. P. 4(m).

1 Accordingly, pursuant to Rule 4(m), plaintiff is hereby ORDERED TO SHOW
2 CAUSE, in writing and no later than August 16, 2013, why plaintiff's claims against the City
3 of Los Angeles, California Superior Court Judge Luis A. Lavin, and California Court of
4 Appeal Justice Roger W. Boren should not be dismissed for failure to serve within the time
5 required by Rule 4(m).

6 **IT IS SO ORDERED.**

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8 Dated: July 31, 2013


MAXINE M. CHESNEY
United States District Judge